

REMARKS

The application presently contains claims 32-37. In the Office Action dated March 23, 2006, the Examiner required restriction to one of the following inventions:

- I. Claims 32, 34-35 and 37, drawn to a method comprising administration of a polypeptide, classified in class 514, subclass 2, for example; and
- II. Claims 33 and 36, drawn to a method comprising “providing a pharmaceutical preparations for introducing OCIF protein”, classified in at least class 514, subclass 44, for example.

Applicants respectfully traverse the restriction requirement and provisionally elect the subject matter of Group I, presented in 32, 34-35 and 37, drawn to a method comprising administration of a polypeptide, classified in class 514, subclass 2, for example. However, Applicants submit that the Office has not proven that the search and examination of the entire application would impose an undue burden. Applicants submit that the complete examination would be handled most expeditiously by treating all of the pending claims as a single entity. As MPEP §803 directs, “[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.” We note that all of the pending claims were searched and examined together in the parent application (U.S. Application No. 10/232,858, now U.S. Patent No. 6,855,808).

As such, Applicants submit that the restriction requirement should be withdrawn. In order to facilitate prosecution, however, Applicants have provisionally elected, with traverse, the subject matter of Group I, presented in 32, 34-35 and 37, drawn to a method comprising administration of a polypeptide for examination. Claims 32-37 have been amended without prejudice to clarify the invention. No new matter enters by this amendment. Support for the foregoing claim amendments may be found throughout the specification and in the original claims.

CONCLUSION

The Examiner is respectfully requested to pass the application to issue. Should the Examiner have any questions regarding this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kristan Lansbery", with a large, stylized loop at the end.

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